

# British Court Rules Haw-Haw Is U.S. Citizen

London, Sept. 18 (AP).—William Joyce, Nazi radio propagandist defending himself against a charge of treason, appeared today to have established his claim to United States citizenship and the court ruled that only one of three counts against him was effective.

The "Lord Haw Haw" of German broadcasts still must prove, however, that he did not owe allegiance to the British Crown when he went to Germany on a British passport, the court ruled. Arguments on this point will be resumed tomorrow.

The first count of the indictment charged Joyce with broadcasting Nazi propaganda between Sept. 18, 1939, and May 29, 1945, while owing allegiance to Great Britain. The second accused him of "adhering to the King's enemies" by purporting to become a naturalized subject of Germany.

Both of these were ruled ineffective.

## One Count Stands

The third and remaining count was the same as the first except that it was limited to the time between Sept. 18, 1939, and July 2, 1940, the period in which Joyce's British passport was valid.

If the court rules that the passport privileges Joyce accepted when he went to Germany did not require British allegiance, he still must face another secret British indictment. And if British courts invest him with the legal status of an American, and set him free, the United States Attorney-General's office has said it would "grab him quick."

The defense completed its case in three hours today, without calling Joyce to the stand. Defense Counsel G. O. Slade produced certified and sealed copies of the American naturalization record of Joyce's father, Michael, recorded in Hudson County, N.J., in 1892 and 1894. He also introduced Joyce's birth registration, purporting to show the defendant was born April 24, 1906, in Brooklyn.

## Diplomat Testifies

H. E. Stebbings, first secretary of the United States Embassy in London, testified that Michael Joyce had been granted American citizenship, and that according to American law a son born in the United States would be an American citizen.

After the defense finished, Mr. Justice Tucker, presiding, asked Sir Hartley Shawcross, Attorney-General and chief prosecutor, whether he was going to invite the jury "to come to the conclusion that this man is a British citizen."

When Sir Hartley said he would not press the point, Mr. Justice Tucker said: "I think everybody must agree that the evidence which has been brought by the defense is really overwhelming. That leaves us with only count three effective."

The prosecution then attempted to prove that a man who professes to be a British subject and accepts a passport is bound to support the State even if he is an alien, saying: "It is unthinkable that such a person should not owe a corresponding duty of allegiance to the Crown."

The defense argued that a non-resident alien owed no allegiance, and that the Crown has no jurisdiction to issue a passport to an American citizen.

The defense called seven witnesses, including Joyce's younger brother, Edwin Quentin Joyce, a British civil servant.

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